

REMARKS

Favorable reconsideration of this application, as presently amended and in light of the following discussion, is respectfully requested.

Claims 1-53 are currently pending. Claims 1-3, 12-15, 23-25, and 34-37 has been amended by the present amendment. The changes to the claims are supported by the originally filed specification and do not add new matter.

In the outstanding Office Action, Claims 1-10, 12-32, 34-46, 48, 50, and 51 were rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,219,694 B1 to Lazaridis et al. (hereinafter “the ‘694 patent”); Claims 11, 33, and 52 were rejected under 35 U.S.C. § 103(a) as being unpatentable over the ‘694 patent in view of U.S. Patent No. 6,065,136 to Kawabara (hereinafter “the ‘136 patent”); and Claims 47, 49, and 53 were rejected under 35 U.S.C. § 103(a) as being unpatentable over the ‘694 patent in view of U.S. Patent No 6,108,492 to Miyachi (hereinafter “the ‘492 patent”).

Applicant wishes to thank the Examiner for the interview granted Applicant’s representative on September 23, 2004, at which time the outstanding rejection of the claims was discussed. However, no agreement was reached pending the Examiner’s further consideration of the claims upon formal submission of a response to the outstanding Office Action.

Claim 1 is directed to a method of processing messages, comprising: (1) receiving an electronic mail message by a computer; (2) determining whether the received message includes instructions for operating a device associated with the computer by detecting a characteristic of the message, the device being a business office device including a processor; (3) transmitting a communication from the computer to the device, if the determining step determines that the received message includes instructions for operating the device; and (4) operating the processor of the device in response to the communication.

The '694 patent is directed to a system and method for pushing information from a host system to a mobile data communication device having a shared electronic address with the host system. As shown in Figure 1, the '694 patent discloses a system in which, if certain user defined event triggers are activated, messages or commands are redirected from a desktop computer to a mobile data communication device. In particular, as shown in Figure 4, regarding incoming email messages, if the messages are to be redirected by the redirector 12, the message is repackaged by placing an outer wrapper around the original message before sending to the mobile device.¹ However, Applicant respectfully submits that the '694 patent fails to disclose determining whether a received message includes instructions for operating a device associated with the computer by detecting a characteristic of the message, as recited in Claim 1. Rather, the '694 patent discloses that all of the incoming email messages are for the user, but that the user may effectively set up a filter for filtering out those messages that should not be sent to the mobile device. The '694 patent merely discloses a system used to filter out messages to be sent to a mobile data communication device, based on the limited bandwidth available to send messages to the mobile device. Accordingly, Applicant respectfully submits that the rejection of Claim 1 (and dependent Claims 1-10, 12-17, 45, 46, and 48) as anticipated by the '694 patent is rendered moot by the present amendment to Claim 1.

Independent Claim 23 recites limitations analogous to the limitations recited in Claim 1. Moreover, Claim 23 has been amended in a manner analogous to the amendment to Claim 1. Accordingly, for the reasons stated above for the patentability of Claim 1, Applicant respectfully submits that the rejections of Claim 23 (and all similarly rejected dependent

¹ See, e.g., '694 patent column 10, lines 39-column 11, line 5.

claims) as anticipated by the '694 patent is rendered moot by the present amendment to Claim 23.

Regarding the rejection of independent Claims 18 and 40, Applicants initially note that the rejection on pages 10 and 11 of the outstanding Office Action is virtually identical to the rejection of Claim 1 on pages 2-4, despite the different limitations recited in Claims 18 and 40. In particular, Applicants note that the limitations of Claim 1, not the limitations of Claims 18 or 40, are recited within the stated rejection of Claims 18 and 40. Thus, for example, the Office Action does not specifically indicate whether the '694 patent discloses the device driver recited in Claims 18 and 40. Moreover, Applicants respectfully submit that the '694 patent fails to disclose a device driver, and thus cannot disclose processing information by a device driver within the computer, as recited in Claims 18 and 40. Accordingly, Applicants respectfully traverse the rejection of Claims 18 and 40 (and all similarly rejected dependent claims) as anticipated by the '694 patent.


Regarding the rejection of dependent Claims 11, 33, 47, 49, 52, and 53 under 35 U.S.C. § 103, Applicant respectfully submits that the '136 and '492 patents fails to remedy the deficiencies of the '694 patent, as discussed above. Accordingly, Applicant respectfully traverses the rejection of dependent Claims 11, 33, 47, 49, 52, and 53.

Thus, it is respectfully submitted that independent Claims 1, 18, 23, and 40 (and all associated dependent claims) patentably define over any proper combination of the '694, '136, and '492 patents.

Consequently, in view of the present amendment and in light of the above discussion, the outstanding grounds for rejection are believed to have been overcome. The application as amended herewith is believed to be in condition for formal allowance. An early and favorable Action to that effect is respectfully requested.

Respectfully submitted,

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